

KOURTNEY C. VACCARO
Chief of Enforcement
ANGELA J. BRERETON
Commission Counsel
FAIR POLITICAL PRACTICES COMMISSION
428 J Street, Suite 620
Sacramento, CA 95814
Telephone: (916) 322-5660
Facsimile: (916) 322-1932

Attorneys for Complainant

BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
STATE OF CALIFORNIA

In the Matter of) FPPC No. 07/195
)
)
MICHAEL J. MALIK, SR., MICHAEL J.) STIPULATION, DECISION and
MALIK, SR. TRUST, and MJM MANISTEE, INC.,) ORDER
)
Respondents.)
)
)
)
)
)

Complainant Roman G. Porter, Executive Director of the Fair Political Practices Commission, and Respondents Michael J. Malik, Sr., Michael J. Malik, Sr. Trust, and MJM Manistee, Inc., agree that this Stipulation will be submitted for consideration by the Fair Political Practices Commission at its next regularly scheduled meeting.

The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this matter and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of Respondents.

Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural rights set forth in Sections 83115.5, 11503 and 11523 of the Government Code, and in Section 18361.1 through 18361.9 of Title 2 of the California Code of Regulations. This includes, but is not limited to, the

1 right to personally appear at any administrative hearing held in this matter, to be represented by an
2 attorney at Respondents' own expense, to confront and cross-examine all witnesses testifying at the
3 hearing, to subpoena witnesses to testify at the hearing, to have an impartial administrative law judge
4 preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

5 Respondents Michael J. Malik, Sr., Michael J. Malik, Sr. Trust, and MJM Manistee, Inc.,
6 stipulate and agree that, as described in Exhibit 1, they each violated the Political Reform Act by failing
7 to disclose seventeen contributions totaling \$26,500 in a semi-annual campaign statement, in violation
8 of Sections 84200, subdivision (b), and 84211, subdivision (k)(5) (1 count). Exhibit 1 is attached hereto
9 and incorporated by reference as though fully set forth herein. Exhibit 1 is a true and accurate summary
10 of the facts in this matter.

11 Respondents agree to the issuance of the Decision and Order, which is attached hereto.
12 Respondents also agree to the Commission imposing upon them an administrative penalty in the amount
13 of Four Thousand Dollars (\$4,000). A cashier's check from Respondents in said amount, made payable
14 to the "General Fund of the State of California," is submitted with this Stipulation as full payment of the
15 administrative penalty, to be held by the State of California until the Commission issues its Decision and
16 Order regarding this matter. The parties agree that in the event the Commission refuses to accept this
17 Stipulation, it shall become null and void, and within fifteen (15) business days after the Commission
18 meeting at which the Stipulation is rejected, all payments tendered by Respondents in connection with
19 this Stipulation shall be reimbursed to Respondents. Respondents further stipulate and agree that in the
20 event the Commission rejects the stipulation, and a full evidentiary hearing before the Commission
21 becomes necessary, neither any member of the Commission, nor the Executive Director, shall be
22 disqualified because of prior consideration of this Stipulation.

23 Dated: _____

Roman G. Porter, Executive Director
Fair Political Practices Commission

26 Dated: _____

Michael J. Malik, Sr., Individually and on behalf of
Michael J. Malik, Sr. Trust, and MJM Manistee, Inc.,
Respondents

DECISION AND ORDER

The foregoing stipulation of the parties “In the Matter of Michael J. Malik, Sr., Michael J. Malik, Sr. Trust, and MJM Manistee, Inc., FPPC No. 07/195,” including all attached exhibits, is hereby accepted as the final decision and order of the Fair Political Practices Commission, effective upon execution below by the Chairman.

IT IS SO ORDERED.

Dated: _____

Ross Johnson, Chairman
Fair Political Practices Commission